IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.7259 of 2006

Dated: 29th June, 2006

Between:

Maturi Seetha Ramanjaneyulu
and another.

.. Petitioners

and

The Commissioner of Endowments,
Government of A.P., Tilak Road,
Hyderabad & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.7259 of 2006

ORDER:

There is no dispute that the impugned order dated 18.2.2006 was passed without putting the petitioner on notice or hearing him personally. Admittedly, the auction was conducted on 25.6.1997 in respect of the subject property and the petitioner was declared as a highest bidder. He deposited 1/3rd of the bid amount on the same day. However, he could not deposit the remaining amount within 15 days from the date of confirmation i.e. on 8.10.1998. The first

respondent has not issued notice of any kind to the petitioner before passing the impugned order canceling the auction held on 25.6.1997 on the ground that the petitioner did not deposit the 3/4th amount. It is the case of the petitioner that he went around the office of the respondent stating that as the land available on the ground was only Ac.8.00 as against Ac.10-32 cents as notified by the respondents, and therefore, he is not supposed to pay the 3/4th amount and requested the authorities to survey and measure the land.

Be that as it may, since the impugned order is passed without putting the petitioner on notice after lapse of more than six years on 18.2.2006 and in gross violation of principles of natural justice, I deem it appropriate to set aside the impugned order,

Accordingly, the writ petition is allowed and the impugned order is set aside. However, the respondents are at liberty to proceed with the matter as per law after putting the petitioner on notice and shall pass appropriate orders in accordance with law.

Further, if any action is taken in pursuance of the interim order of this Court in W.P.M.P.No.10226 of 2006 dated 26.4.2006, the Mandal Revenue Officer, Bantumilli, shall immediately handover the entire crop to the petitioner.

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C.V.RAMULU,
J

Date: 29.6.2006

Note:

Issue C.C. in (2) days.
B/o

DA